

REMARKS/ARGUMENTS

In the Office Action mailed October 16, 2008 (hereinafter, "Office Action"), claims 1-49 were rejected under 35 U.S.C. § 103(a). By this paper, claims 1, 18, 21, 38 and 41 are being amended.

Applicant respectfully responds to the Office Action.

I. Claims 1-5, 7-10, 15-25, 27-30, 35-43 and 47-49 Rejected Under 35 U.S.C. § 103(a)

Claims 1-5, 7-10, 15-25, 27-30, 35-43 and 47-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0075572 to Boreczky et al. (hereinafter, "Boreczky") in view of U.S. Patent No. 6,711,741 to Yeo (hereinafter, "Yeo") further in view of U.S. Patent No. 7,366,241 to Matsui et al. (hereinafter, "Matsui"). Applicant respectfully requests reconsideration in view of the above claim amendments and the following remarks.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 406 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). As the Board of Patent Appeals and Interferences has recently confirmed, "obviousness requires a suggestion of all limitations in a claim." In re Wada and Murphy, Appeal 2007-3733 (citing CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003)).

Claim 1 recites "obtaining the first plurality of video frames by requesting the specific video frames from the server by sending separate play requests for the video frames in accordance with a video streaming protocol." Thus, claim 1 requires the use of a "video streaming protocol" to "request ... specific video frames." The cited references do not teach or suggest this claimed subject matter.

The Office Action correctly acknowledges that "[t]he combination, Boreczky and Yeo, is silent with respect to 'sending a separate play request for the video frames in accordance with a video

streaming protocol.” (Office Action, page 4.) However, the Office Action asserts that this claimed subject matter is taught by Matsui. (Office Action, pages 4-5.) Applicant respectfully disagrees.

Matsui describes the use of the Real Time Streaming Protocol (RTSP) to request a video stream. This is the typical way in which RTSP is used. However, Matsui does not teach or suggest the use of RTSP to “request ... specific video frames,” as required by claim 1.

For example, the Office Action cites col. 25, lines 25-29 of Matsui, which states (emphasis added):

Then, in the RTSP message transmission/reception unit 214 of the receiving terminal 200b, a data request message which requests the video stream corresponding to the entry [2], i.e., the video stream corresponding to the video element 712, is transmitted by RTSP.

The Office Action also cites col. 26, lines 21-26 of Matsui, which states (emphasis added):

Thereafter, a PLAY request message (PLAY rtsp://s.com/s1.mp4 RTSP/1.0) Sm4 corresponding to the video stream indicated by the video element 711 is transmitted by RTSP from the RTSP message transmission/reception unit 214 of the receiving terminal 200b to the URL (server address) corresponding to the entry [1].

As can be seen, the cited portions of Matsui describe the use of RTSP to request a video stream. However, Matsui does not teach or suggest the use of RTSP to “request ... specific video frames,” as required by claim 1.

Claim 1 has also been amended to more specifically define what is meant by using a “video streaming protocol” to “request ... specific video frames.” In particular, claim 1 has been amended to recite that “a normal play time of each play request begins at T_i and ends at $T_i + d$, wherein T_i is a timestamp of an i^{th} video frame, and wherein d does not exceed one frame duration.” This amendment is supported by at least paragraphs [50] and [51] of Applicant’s specification, which states:

The video frames 124 may be retrieved from the video stream server 112 in accordance with the RTSP protocol. For example, if T_i is the timestamp 126 of the i^{th} video frame 124 to be displayed in the video strip 118 (where $i = 1, \dots, N$), the client 102 may send N RTSP PLAY requests with the normal play time (npt) of a request set to begin at T_i and set to end at $T_i + d$

The value of d is preferably set equal to one frame duration of the video 114.

In other words, $d = \frac{1}{F}$, where F is the frame rate of the video 114 in frames per second (fps). The frame rate of the video 114 is typically available as an SDP media attribute. However, if the video player 110 has no knowledge about the frame rate of the video 114, then d may be set to some small value.

Because the cited references do not teach or suggest the use of a “video streaming protocol” to “request ... specific video frames,” it follows that the cited references also do not teach or suggest the additional subject matter that has been added to claim 1, which relates to *how* a “video streaming protocol” may be used to “request ... specific video frames.” The cited references certainly do not teach or suggest that “a normal play time” of a “play request begins at T_i and ends at $T_i + d$,” as required by claim 1. Thus, even if the cited references were combined in the manner proposed in the Office Action, the resulting combination would not teach or suggest all of the subject matter of claim 1. Accordingly, Applicant respectfully submits that claim 1 is allowable.

Claims 2-5, 7-10 and 15-17 depend from claim 1. Claims 18, 21, 38 and 41 include subject matter that is similar to the subject matter discussed above in relation to claim 1. Claims 19-20 depend from claim 18. Claims 22-25, 27-30 and 35-37 depend from claim 21. Claims 39-40 depend from claim 38. Claims 42-43 and 47-49 depend from claim 41. Accordingly, Applicant respectfully submits that claims 2-5, 7-10, 15-25, 27-30, 35-43 and 47-49 are allowable for at least the same reasons as presented above in relation to claim 1.

II. Claims 6 and 26 Rejected Under 35 U.S.C. § 103(a)

Claims 6 and 26 stand rejected under 35 U.S.C. § 103(a) based on Boreczky in view of Yeo in view of Matsui, and further in view of U.S. Patent Application Publication No. 2002/0140719 to Amir et al. (hereinafter, “Amir”). Applicant respectfully requests reconsideration in view of the above claim amendments and the following remarks.

Claim 6 depends from claim 1. As discussed above, Applicant respectfully submits that claim 1 is allowable. Accordingly, Applicant respectfully submits that claim 6 is allowable for at

least the same reasons as presented above in relation to claim 1.

Claim 26 depends from claim 21. As discussed above, Applicant respectfully submits that claim 21 is allowable. Accordingly, Applicant respectfully submits that claim 26 is allowable for at least the same reasons as presented above in relation to claim 21.

III. Claims 11-14, 31-34 and 44-46 Rejected Under 35 U.S.C. § 103(a)

Claims 11-14, 31-34 and 44-46 stand rejected under 35 U.S.C. § 103(a) based on Boreczky in view of Yeo in view of Matsui and further in view of U.S. Patent No. 6,747,674 to Asami (hereinafter, "Asami"). Applicant respectfully requests reconsideration in view of the above claim amendments and the following remarks.

Claims 11-14 depend from claim 1. As discussed above, Applicant respectfully submits that claim 1 is allowable. Accordingly, Applicant respectfully submits that claims 11-14 are allowable for at least the same reasons as presented above in relation to claim 1.

Claims 31-34 depend from claim 21. As discussed above, Applicant respectfully submits that claim 21 is allowable. Accordingly, Applicant respectfully submits that claims 31-34 are allowable for at least the same reasons as presented above in relation to claim 21.

Claims 44-46 depend from claim 41. As discussed above, Applicant respectfully submits that claim 41 is allowable. Accordingly, Applicant respectfully submits that claims 44-46 are allowable for at least the same reasons as presented above in relation to claim 41.

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IV. Conclusion

Applicant respectfully asserts that all pending claims are allowable over the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', with a stylized flourish at the end.

/Wesley L. Austin/

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